

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Leslie Rutledge, *et al.*,

Plaintiffs,

vs.

David Figuirodo, *et al.*,

Defendants.

Case No.: 2:13-cv-00783-GMN-NJK

ORDER

Pending before the Court is the Report and Recommendation of United States Magistrate Judge Nancy Koppe. (ECF No. 41.) Nominal Defendant Double Crown Resources, Inc. f/k/a Denarii Resources, Inc. (“Double Crown”) filed an Objection (ECF No. 42). For the reasons discussed below, the Court will accept and adopt in full Judge Koppe’s Report and Recommendation in full.

I. BACKGROUND

The motion for attorney fees (ECF No. 37) was referred to Judge Koppe pursuant to 28 U.S.C. § 636(b)(1)(B) and District of Nevada Local Rule IB 1-4. Judge Koppe recommended that this Court enter an order denying Double Crown’s Motion for Attorney Fees and Costs (ECF No. 37). (ECF No. 41.)

II. LEGAL STANDARD

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a de novo determination of those portions of the Report to which objections are made. *Id.* The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. IB 3-2(b).

1 **III. DISCUSSION**

2 In the Report and Recommendation (ECF No. 41), Judge Koppe recommends denial of
3 the Motion for Attorney Fees (ECF No. 37) based on Double Crown's failure to comply with
4 Local Rule 54-16(b). In its Objection, Double Crown does not dispute that it failed to comply
5 with Local Rule 54-16(b), but argues that Judge Koppe should have considered the motion as a
6 bifurcated request for a determination of liability, with a full description in compliance with
7 Local Rule 54-16(b) to follow this determination.

8 The Court is unpersuaded by Double Crown's argument, particularly because the Local
9 Rule provides no mechanism for a bifurcated determination, and without a specific request
10 from Double Crown, Judge Koppe committed no error in failing to consider Double Crown's
11 motion as a bifurcated request for a determination of liability. The Court finds that Judge
12 Koppe's findings are correct, and that Double Crown provides no basis for the Court to reverse
13 her determination that Double Crown failed to comply with the applicable local rule.
14 Accordingly, Judge Koppe's R&R will be accepted and adopted in full.

15 **IV. CONCLUSION**

16 **IT IS HEREBY ORDERED** that the Report and Recommendation (ECF No. 41) be
17 **ACCEPTED and ADOPTED** in full.

18 **IT IS FURTHER ORDERED** that the Motion for Attorney Fees and Costs (ECF No.
19 37) is **DENIED**.

20 **DATED** this 16th day of July, 2014.

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25 Gloria M. Navarro, Chief Judge
United States District Court